

**FILED**

## UNITED STATES DISTRICT COURT

5-8-08  
MAY 08 2008

NF

NORTHERN

DISTRICT OF

ILLINOIS, EASTERN DIVISION

UNITED STATES OF AMERICA

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

v.

MAGISTRATE JUDGE NOLAN  
CRIMINAL COMPLAINT

FELIX TEMPLOS-ORTIZ

CASE NUMBER

08CR

369

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief. On or about May 5, 2008, at Will County, Illinois, in the Northern District of Illinois, Eastern Division, FELIX TEMPLOS-ORTIZ, defendant herein,

for the purpose of private financial gain, knowing and in reckless disregard of the fact that certain aliens had come to, entered, or remained in the United States in violation of law, did transport and move such aliens, namely fourteen Mexican nationals and one Honduran national, within the United States by means of transportation and otherwise, in furtherance of such violation of law;

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i);

I further state that I am a Special Agent with the Bureau of Immigration and Customs Enforcement ("ICE") and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.



Ben Bauman

Special Agent, U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence,

May 8, 2008

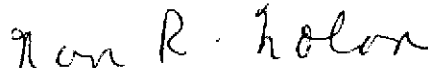
Date

at Chicago, Illinois

City and State

HON. NAN R. NOLAN, U.S. Magistrate Judge

Name &amp; Title of Judicial Officer



Signature of Judicial Officer

STATE OF ILLINOIS

)

)

COUNTY OF COOK

)

**AFFIDAVIT**

I, Ben Bauman, being first duly sworn, hereby depose and state:

**INTRODUCTION**

1. I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and have been so employed for one year. Prior to that, I was an Agent for the U.S. Border Patrol for approximately ten years.
2. As a Special Agent with ICE, I am assigned to investigate violations of immigration laws, including offenses under 8 U.S.C. §§ 1324-26.
3. This affidavit is based on my own personal knowledge, my review of records, and information provided to me by other law enforcement personnel. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint. As such, I have not included each and every fact known to me related to this investigation. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part and are not verbatim.

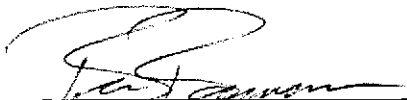
**INVESTIGATION**

4. On May 5th, 2008, Illinois State Police ("ISP") conducted a vehicle stop of a Maroon GMC passenger van for improper lane usage as the van was traveling north on Interstate 55, just outside of Springfield, Illinois. Upon learning that neither the driver nor his 15 passengers could speak English, ISP troopers alerted ICE agents in the Springfield office.

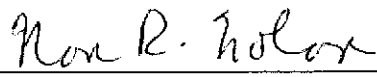
5. ISP troopers released the driver and van after speaking to ICE agents. The van continued north on I-55 and ICE agents from the Chicago office, who had received a description of the van and its license plate number, stopped the van on I-55 just south of I-80.
6. ICE agents then approached the driver of the van and requested identification and immigration documents. Neither the driver nor his 15 passengers had immigration documents. ICE agents questioned the passengers, and determined that the individuals were nationals and citizens of Mexico and Honduras who had entered the United States illegally.
7. ICE agents also interviewed six of the passengers, and several of them reported, in summary, that the driver knew that they were illegal aliens and that they had paid or were going to pay the driver various amounts ranging from \$350 to \$4500 for their transportation. One of the passengers stated that he was to pay the driver \$2000 upon arrival in Illinois. An additional passenger stated that he had already paid another unidentified individual a fee of \$2000 to be transported by the driver to Joliet, IL.
8. Law-enforcement officers identified the driver of the van as Felix TEMPLOS-ORTIZ. After ICE agents provided TEMPLOS-ORTIZ with a form listing his Miranda rights in Spanish, TEMPLOS-ORTIZ indicated that he understood his rights and agreed to be interviewed by ICE agents. TEMPLOS-ORTIZ admitted that he was aware that the 15 passengers were illegal aliens and that he had agreed to transport them in return for \$1,400 in cash.

9. Based on the above, I respectfully submit that there is probable cause to believe that Felix TEMPLOS-ORTIZ violated Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and 1324(a)(1)(B)(i).

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Ben Bauman, Special Agent  
DHS-Immigration and Customs Enforcement

Subscribed and sworn to before me this 8th day of May, 2008.

  
\_\_\_\_\_  
Honorable Nan R. Nolan  
U.S. Magistrate Judge